

Magorrian, Matthew

From: McLerran, Dennis
Sent: Wednesday, March 11, 2015 8:59 AM
To: Kelly, Kate; Kowalski, Ed; Stern, Allyn
Cc: Pirzadeh, Michelle; Holsman, Marianne; Dunbar, Bill; Woods, Jim
Subject: FW: 2nd request --Simplot RCRA enforcement status?

Kate and all:

I haven't gotten an update on the Don Plant enforcement for some time. I would like to have a little better sense of what the issues are here if possible.

Dennis

From: Lee Juan Tyler [mailto:(b) (6)]
Sent: Wednesday, March 11, 2015 8:00 AM
To: Billy Maines; McLerran, Dennis; mcarthy.gina@epa.gov; Mccarthy, Gina; Allene Cabillo; Chase, JoAnn; (b) (6); Jill Grant
Subject: Fwd: 2nd request --Simplot RCRA enforcement status?

FYI this message is regarding JR Simplot Donn Plant, and FMC ; EMF Eastern Michaud Flats Superfund site, that needs environmental Justice! FYI Thanks LJT ,

Sent from my iPhone

Begin forwarded message:

From: Virginia Monsisco (b) (6) >
Date: March 11, 2015, 7:14:08 AM PDT
To: "Schanilec, Kevin" <Schanilec.Kevin@epa.gov>, Roger Turner (b) (6) >, "Kelly, Kate" <kelly.kate@epa.gov>, "Shirley, Joan" <Shirley.Joan@epa.gov>, Landuse <Landuse@sbtribes.com>, Attorneys <Attorneys@sbtribes.com>
Cc: Virginia Monsisco <(b) (6)>, EWMP <EWMP@sbtribes.com>, FHBC <FHBC@sbtribes.com>
Subject: RE: 2nd request --Simplot RCRA enforcement status?

Hi Kevin, will you please address the rest of us, Roger brings up a lot of concern or will it be part of tonight's EMF discussion at the Hotel in Fort Hall, please advise?

Virginia Monsisco, EWMP
Shoshone-Bannock Tribes

-----Original Message-----

From: Schanilec, Kevin [<mailto:Schanilec.Kevin@epa.gov>]
Sent: Tuesday, March 10, 2015 5:40 PM
To: Roger Turner; Kelly, Kate; Shirley, Joan; Landuse; Attorneys
Subject: RE: 2nd request --Simplot RCRA enforcement status?

Hi Roger:

It was good to talk with you just now, and I hope what I was able to tell you addressed the concerns you raised.

If you have concerns or questions in the future, please give me a call at 206-553-1061, and I'll be glad to tell you what I can.

Thanks - Kevin

Kevin Schanilec
Senior Enforcement Engineer
EPA Region 10 (OCE-127)
1200 Sixth Avenue, Suite 900
Seattle, WA 98101
206-553-1061

-----Original Message-----

From: Roger Turner [(b) (6)]

Sent: Tuesday, March 10, 2015 4:08 PM

To: Kelly, Kate; Shirley, Joan; Land Use-SB Tribes Tribes; attorneys-sbtribes; Schanilec, Kevin

Subject: Re: 2nd request --Simplot RCRA enforcement status?

Kevin Schanilec and Kate Kelly:

Here is another reason to complete the Simplot enforcement:

If you wait much longer to finalize the enforcement then public sentiment will turn against EPA. It has already been 9-10 years. Let's assume you finish up enforcement after a total of over ten or fifteen years. Simplot will recruit congressional delegates and other public officials to cry out: "It is unfair for EPA to slap fines on an industry where the alleged violations occurred over a decade ago." Etc.

If there is a certain single violation you are hung up on, causing a delay...why stop the consent order on all the other violations?

As time slips by Region 10 EPA will end up either doing nothing, allowing a significant polluter to continue to release contaminants...or as described above, you will turn the public officials against you, if you do issue a consent order.

Please explain your rationale for grouping the violations into a consolidated package, where the weakest link is holding you back from enforcement follow-up on the others?

In short, why are you letting this happen? It's all going to be bad from now on.

Thanks,

Roger

